

DECISION MEMORANDUM

TO: COMMISSIONER ANDERSON
COMMISSIONER HAMMOND
COMMISSIONER LODGE
COMMISSION SECRETARY
COMMISSION STAFF
LEGAL

FROM: MICHAEL DUVAL
DEPUTY ATTORNEY GENERAL

DATE: MARCH 14, 2023

SUBJECT: IN THE MATTER OF IDAHO POWER COMPANY’S APPLICATION FOR
AN ORDER APPROVING THE TRANSFER OF CERTAIN ASSETS
ASSOCIATED WITH RITTER ISLAND; CASE NO. IPC-E-23-07.

On March 2, 2023, Idaho Power Company (“Company”), and the Idaho Department of Parks and Recreation (“IDPR”) (together the “Parties” or individually “Party”) applied to the Commission for approval of an Asset Transfer Agreement between the Company and the IDPR (“Application”). As proposed, the Company would transfer service approximately 1.09 acres of land on Ritter Island (“Ritter Island”) to the IDPR. The Application outlines a process whereby the Company would transfer to IDPR¹ certain electric facilities currently owned and used by the Company at Ritter Island located in Gooding County, Idaho. The Parties request the Application be processed by Modified Procedure.

STAFF RECOMMENDATIONS

Relative to authorizing the process described above, *Idaho Code* § 61-328 states the Commission “shall issue a public notice and *shall conduct a public hearing* upon the application” (emphasis added). To fulfill this statutory mandate, Staff recommends the Commission issue a Notice of Application, Notice of Modified Procedure, and Notice of Telephonic Public Hearing. Staff recommends establishing a May 3, 2023, public comment deadline, a May 10, 2023, Party

¹ IDPR would be receiving this conveyance “at zero cost to IDPR.” Application at 3. Section IV of the Application states: “The original cost of the 1.09 acres of land was \$504,985.48. To record the conveyance of the land, the original cost would be removed from FERC Account 101, Electric Plant-in-Service, with an offset to FERC Account 426.1, Donations.” *Id.* at 5.

reply comment deadline, and a telephonic public hearing on May 11, 2023, at 11:00 a.m. (local time).

COMMISSION DECISION

Does the Commission wish to issue a Notice of Application, Notice of Modified Procedure, and Notice of Telephonic Public Hearing setting a May 3, 2023, public comment deadline, a May 10, 2023, Party reply deadline, and a telephonic public hearing on May 11, 2023, at 11:00 a.m. (local time)?



Michael Duval
Deputy Attorney General

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